

Friday, June 20, 2008

House Meets At...	Votes Predicted At...
9:00 a.m. For Legislative Business	Last Vote: 1:00-2:00 p.m.
Five "One-minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **H.Res. 1276 – Rule Providing for Consideration of H.R. 5876 - Stop Child Abuse in Residential Programs for Teens Act of 2008 (Rep. Cardoza – Rules):** The structured rule provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Cardoza, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**
- **H. Res. 1285-Rule providing for consideration of H.R. 6304 – FISA Amendments Act of 2008 (Rep. Arcuri-Rules):** The closed rule provides one hour of debate equally divided among and controlled by the chairman and ranking minority member of the Committee on the Judiciary and the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Arcuri, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**

- **H.R. 6304 - The FISA Amendments Act of 2008 (Rep. Reyes – Intelligence):** Pursuant to the rule, debate on the bill will be managed by Intelligence Committee Chair Rep. Silvestre Reyes and Judiciary Committee Chair Rep. John Conyers, or their designees, each for thirty minutes, and will proceed as follows:
 - One hour of debate on the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to vote yes on passage of the bill.**

Bill Summary and Key Issues

H.R. 6304 - FISA AMENDMENTS ACT OF 2008

THE FISA AMENDMENTS ACT OF 2008

- Replaces the Protect America Act, enacted in August 2007.
- Clarifies that to conduct surveillance targeting a person in the United States, the government first must obtain an individual warrant from the FISA Court, based upon probable cause.
- Clarifies that FISA and Title III of the criminal code are the exclusive means by which the government may conduct surveillance on U.S. soil, and adds that any future statute must expressly authorize surveillance if the government is going to rely on it to conduct domestic surveillance.
- Contains new legal protections for U.S. persons abroad, requiring an individual probable cause determination by the FISA Court when the government seeks to conduct surveillance of U.S. persons located outside the United States.
- Requires the Inspectors General (IG) of DOJ, DNI, NSA, and DOD to conduct a comprehensive review of the President's warrantless surveillance program and provide those reviews to the Intelligence and Judiciary Committees. This report will review "all of the facts necessary to describe the establishment, implementation, product, and use of the Program," as well as "communications with, and participation of, individuals and entities in the private sector related to the Program."
- Requires prior review and approval by the FISA Court of the targeting and minimization procedures used to conduct surveillance of any foreign targets (unless in an emergency in which case the government may authorize the surveillance and then apply to the FISA Court for approval within seven days.) Requires that this surveillance be conducted in accordance with the Fourth Amendment.
- Requires the government to establish guidelines to ensure that Americans are not targeted by this surveillance ("reverse targeting guidelines"), and requires the government to provide those reverse targeting guidelines to Congress and the FISA Court.

- Requires extensive reporting to the Intelligence and Judiciary Committees on the use of this new authority and authorizes Inspectors General to investigate and audit this new authority.
- Provides civil liability protection for private sector companies who provide lawful assistance to the government in the future; and allows U.S. District Courts to review the actions of companies that assisted in post-9/11 intelligence activities to determine whether substantial evidence supports civil liability protection for those actions. This provision does NOT confer immunity on any government official for violating the law.
- Sunsets on December 31, 2012, providing Congress with an opportunity to revisit this legislation during the next Administration.

Quote of the Day

"He knows not his own strength who has not met adversity" -Ben Johnson

The Office of the House Majority Whip | H-329 The Capitol |
Washington, DC 20515 | p. (202)226-3210 | f. (202)226-1115